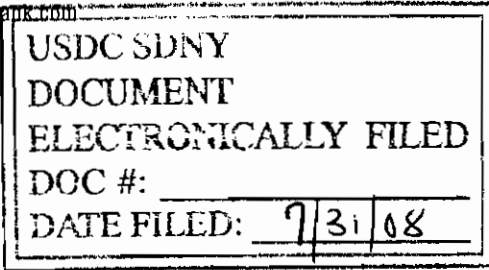


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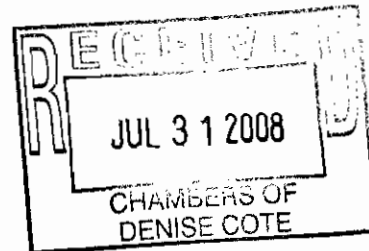
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July 30, 2008

**MEMO ENDORSED**



**BY HAND DELIVERY**

The Honorable Denise L. Cote  
United States District Judge  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Keryx Biopharmaceuticals, Inc. v. Panion & BF Biotech, Inc.*, 08 Civ. 3603 (DLC)

Dear Judge Cote:

This office represents the plaintiff, Keryx Biopharmaceuticals, Inc., in the above-entitled action.

The parties have agreed to meet in person in the United States in September 2008 in order to settle their dispute if possible. In furtherance of these settlement efforts, the parties request the Court to adjourn the Initial Case Management Conference and certain other deadlines.

Attached for Your Honor's consideration is a courtesy copy of a stipulation that was submitted today to the Orders, Appeals & Judgments Clerk by email as required by the Court's Electronic Case Filing Rules & Instructions (a) extending the time for Keryx to serve its Reply to the Answer and Counterclaims until October 17, 2008; (b) extending the time for making Initial Disclosures and filing the Joint Case Management Report until October 31, 2008; (c) requesting the Court to adjourn the Initial Case Management Conference from August 8, 2008 (as presently scheduled) until November 14, 2008; and (d) requesting that discovery be stayed until the Initial Case Management Conference, subject to certain conditions.

*The conference is adjourned  
to September 26 at 11:00 am  
there shall be no further  
adjournment.*  
*Denise Cote*  
*July 31, 2008*

Fried, Frank, Harris, Shriver & Jacobson LLP

Hon Denise L. Cote

July 30, 2008  
Page 2

We very much appreciate Your Honor's consideration of the foregoing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Rabinowitz', with a stylized flourish at the end.

Stephen S. Rabinowitz  
Attorney for Plaintiff  
Keryx Biopharmaceuticals, Inc.

Enclosure

cc: Jack W. Chung, Esq., counsel for Defendant Panion (by email, w/encl.)